



*IPW*

Docket No.: 51994(64627)  
(PATENT)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Patent Application of:  
Christian Holz

Application No.: 10/559,843

Filed: December 7, 2005

For: SYSTEM FOR METERING AND  
DELIVERING A LIQUID MEDIUM;  
ESPECIALLY FOR ENTERAL FEEDING

**PETITION TO CORRECT INVENTORSHIP PURSUANT TO 37 C.F.R. § 1.48(a) AND**  
**35 U.S.C. §116**

Attention: Office of Petitions  
Mail Stop Petition  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

This petition is being submitted to correct the inventorship on the above-identified patent application. The above-identified patent application was filed without naming all the correct inventors. Such error arose through error and without any deceptive intention on the part of any of the inventors.

Included with this petition are the following:

1. A statement from each person being added as an inventor.
2. Declaration from each current named inventor.
3. Declaration from the assignees of the parties submitting statements, including Assignments from the inventors to the Assignees.
4. The fee of \$130.00 as set forth in 37 C.F.R. § 1.17(i).

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130.00 DA

It is respectfully requested that Michael Jedwab and Ignacio Larrain be added as co-inventors to U.S. Patent Application No. 10/559,843. The Director is hereby authorized to charge the fee of \$130.00 as set forth in 37 C.F.R. § 1.17(i), any deficiency in the fees filed, asserted to be filed or which should have been filed herewith to our Deposit Account No. 5070332 under Order No. 64627(51994).

Dated: July 12, 2006

✓ SE 061-1105

Respectfully submitted,

By 

Brian R. Pollack, Reg. No. 47,001

Attorney For Applicants

Intellectual Property Practice Group

EDWARDS ANGELL PALMER & DODGE LLP

P.O. Box 55874

Boston, MA 02205

Tel: (203) 353-6831

Fax: (203) 975-7180

Customer No.: 21874



Docket No.: 51994(64627)  
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:  
Christian Holz

Application No.: 10/559,843

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For: SYSTEM FOR METERING AND  
DELIVERING A LIQUID MEDIUM;  
ESPECIALLY FOR ENTERAL FEEDING

**DECLARATION BY ADDED INVENTOR IGNACIO LARRAIN IN SUPPORT OF  
PETITION TO CORRECT INVENTORSHIP**

I, Ignacio Larrain declare as follows:

1. I am a citizen of France residing at Route du Signal 29, CH-1018 Lausanne/Switzerland.
3. I have been informed that I should have been named as an inventor on the above-identified patent application, and that a petition is being filed to change the inventorship on the above-identified patent application to include me.
4. The inventorship error of failing to include me as an inventor of the above-identified patent application occurred without any deceptive intention on my part.
5. I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the patent.

Application No.: 10/559,843

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Docket No.: 51994(64627)

12 June 2006

Date

A handwritten signature in black ink, consisting of a large, stylized 'I' followed by a series of loops and a horizontal line at the end.

Ignacio Larrain



Docket No.: 51994(64627)  
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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In re Patent Application of:  
Christian Holz

Application No.: 10/559,843

Filed: December 7, 2005

For: SYSTEM FOR METERING AND  
DELIVERING A LIQUID MEDIUM;  
ESPECIALLY FOR ENTERAL FEEDING

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**DECLARATION BY ADDED INVENTOR MICHAEL JEDWAB IN SUPPORT OF  
PETITION TO CORRECT INVENTORSHIP**

I, Michael Jedwab declare as follows:

1. I am a citizen of the Switzerland and England residing at Chemin de  
Bochardon 5, CH-1012 Lausanne/Switzerland.

3. I have been informed that I should have been named as an inventor on  
the above-identified patent application, and that a petition is being filed to change the  
inventorship on the above-identified patent application to include me.

4. The inventorship error of failing to include me as an inventor of the above-  
identified patent application occurred without any deceptive intention on my part.

5. I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the patent.

8 June 2006

Date

Michael Jedwab

Michael Jedwab



I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being deposited with the U.S. Postal Service on the date shown below with sufficient postage as First Class Mail, in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Dated: \_\_\_\_\_

Signature: \_\_\_\_\_ (Lori Giuffrida)

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

### DECLARATION FOR PATENT APPLICATION

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am an original, first and joint inventor of the subject matter which is claimed and for which a patent is sought on the invention entitled:

#### SYSTEM FOR METERING AND DELIVERING A LIQUID MEDIUM, ESPECIALLY FOR ENTERAL FEEDING

the specification of which was filed on December 7, 2005 as Application No. 10/559,843.

In the event that the filing date and/or Application No. are not entered above at the time I execute this document, and if such information is deemed necessary, I hereby authorize and request my attorneys/agent(s) at **Edwards Angell Palmer & Dodge LLP**, P.O. Box 55874, Boston, Massachusetts 02205, to insert above the filing date and/or Application No. of said application.

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by an amendment, if any, specifically referred to herein.

I acknowledge the duty to disclose all information known to me that is material to patentability in accordance with Title 37, Code of Federal Regulations, § 1.56.

#### FOREIGN PRIORITY CLAIM

I hereby claim foreign priority benefits under Title 35, United States Code § 119(a)-(d) of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

☐ no such foreign applications have been filed

☒ such foreign application have been filed as follows:

**EARLIEST FOREIGN APPLICATION(S), IF ANY FILED WITHIN 12 MONTHS  
(6 MONTHS FOR DESIGN) PRIOR TO THIS U.S. APPLICATION**

Application Number	Country	Date of Filing	Priority Claimed Under 35 USC 119

**ALL FOREIGN APPLICATION(S), IF ANY FILED MORE THAN 12 MONTHS  
(6 MONTHS FOR DESIGN) PRIOR TO THIS U.S. APPLICATION**

Application Number	Country	Date of Filing
203 09 513.8	DE	June 18, 2003

**CLAIM FOR BENEFIT OF EARLIER U.S. PROVISIONAL APPLICATIONS**

I hereby claim priority benefits under Title 35, United States Code §119(e), of any United States provisional patent application(s) listed below:

☒ no such U.S. provisional applications have been filed.

☐ such U.S. provisional application have been filed as follows:

Application Number	Date of Filing	Priority Claimed Under 35 USC 119

**CLAIM FOR BENEFIT OF EARLIER U.S./PCT APPLICATION(S)**

I hereby claim the benefit under Title 35, United States Code, §120 of the United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, §112, I acknowledge the duty to disclose all information that is material to patentability in accordance with Title 37, Code of Federal Regulations, §1.56 which became available to me between the filing date of the prior application and the national or PCT international filing date of this application:

☐ no such U.S./PCT applications have been filed.

☒ such U.S./PCT application have been filed as follows:



Application Number	Relationship	Parent Application	Date of Filing
PCT/EP2004/006495	PCT		June 16, 2004

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

I hereby appoint:

All practitioners at Customer Number 21874

jointly, and each of them severally, my attorneys at law/patent agent(s), with full power of substitution, delegation and revocation, to prosecute this application, to make alterations and amendments therein, to receive the patent, and to transact all business in the U. S. Patent and Trademark Office connected therewith.

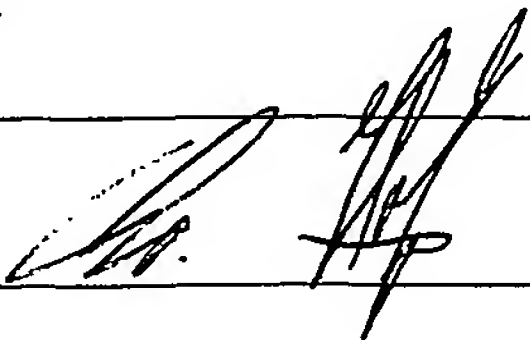
The undersigned hereby authorizes the U.S. attorney or agent named herein to accept and follow instructions from Wilden AG as to any action to be taken in the United States Patent and Trademark Office regarding this application without direct communication between the U.S. attorney or agent and the undersigned. In the event of a change in the persons from whom instructions may be taken, the U.S. attorney or agent named herein will be so notified by the undersigned.

Please mail all correspondence to Scott D. Wofsy, whose address is:

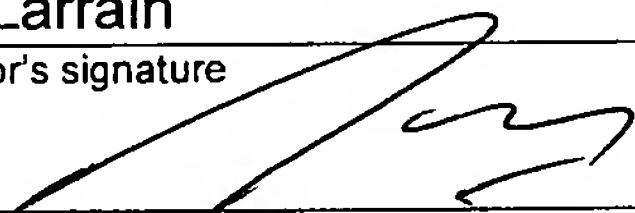
**Edwards Angell Palmer & Dodge LLP**  
P.O. Box 55874  
Boston, Massachusetts 02205

Please direct telephone calls to: Scott D. Wofsy at (203) 353-6831.

Please direct facsimiles to: (203) 975-7180

Full name of sole or first inventor <b>Christian Holz</b>	
Sole or first inventor's signature 	Date <b>14 June 2006</b>
Residence <b>Eitorf, Germany</b>	
Citizenship <b>Germany</b>	
Mailing Address <b>An Ersfeld 6 53783 Eitorf GERMANY</b>	

Full name of second inventor, if any <b>Michael Jedwab</b>	
Second inventor's signature <b>Michael Jedwab</b>	Date <b>8 June 2006</b>
Residence <b>Lausanne, Switzerland</b>	
Citizenship <b>Switzerland and England</b>	
Mailing Address <b>Chemin de Bochardon 5 CH-1012 Lausanne SWITZERLAND</b>	

Full name of third inventor, if any <b>Ignacio Larrain</b>	
Third inventor's signature 	Date <b>12 June 2006</b>
Residence <b>Lausanne, Switzerland</b>	
Citizenship <b>France</b>	
Mailing Address <b>Route du Signal 29 CH-1018 Lausanne SWITZERLAND</b>	

Full name of fourth inventor, if any	
Fourth inventor's signature	Date
Residence	
Citizenship	
Mailing Address	



Docket No.: 51994(64627)  
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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In re Patent Application of:  
Christian Holz

Application No.: 10/559,843

Filed: December 7, 2005

For: SYSTEM FOR METERING AND  
DELIVERING A LIQUID MEDIUM;  
ESPECIALLY FOR ENTERAL FEEDING

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**DECLARATION BY ASSIGNEE IN SUPPORT OF PETITION TO CORRECT  
INVENTORSHIP**

We, Michael Jedwab and Sarah Dixon declare as follows:

1. Nestec Ltd., a company organized and existing under the laws of Switzerland, states in accordance with 37 CFR 3.73(b) that in combination with Wilden AG it is the assignee of the entire right, title and interest in the patent identified above by virtue of assignments from the inventor(s) of the patent application. Copies of the assignments are provided herewith.
2. We are empowered and authorized to act on behalf of Nestec Ltd.
3. Nestec Ltd. does hereby agree to the change of inventorship in the above-identified patent to include Michael Jedwab and Ignacio Larrain as co-inventors.

4. We hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the patent.

8 June 2006

Date

Michael Jedwab

M. JEDWAB

8 June 2006

Date

S. Dixon

S. DIXON

## ASSIGNMENT BY INVENTORS

**THIS ASSIGNMENT**, made this 8 day of June, 2006,  
by Michael Jedwab and Ignacio Larrain (hereinafter referred to as Assignors), residing  
at Chemin de Bochardon 5, CH-1012 Lausanne, SWITZERLAND and Route du Signal  
29, CH-1018 Lausanne, SWITZERLAND, respectively;

**WHEREAS**, Assignors have co-invented certain new and useful  
improvements in SYSTEM FOR METERING AND DELIVERING A LIQUID MEDIUM,  
ESPECIALLY FOR ENTERAL FEEDING, with co-inventor Christian Holz, set forth in a  
Patent application for Letters Patent of the United States, already filed on  
December 7, 2005 as U.S. Application No. 10/559,843; and

**WHEREAS**, Nestec Ltd., a company organized under and pursuant to the  
laws of Switzerland having its principal place of business at Avenue NESTLÉ 55, 1800  
Vevey, SWITZERLAND (hereinafter referred to as Assignee), is desirous of acquiring  
the Assignors' entire right, title and interest in and to said inventions and said  
Application for Letters Patent of the United States, and in and to any Letters Patent of  
the United States to be obtained therefore and thereon.

**NOW, THEREFORE**, in consideration of One Dollar (\$1.00) and other good  
and sufficient consideration, the receipt of which is hereby acknowledged, Assignors  
have sold, assigned, transferred and set over, and by these presents do sell, assign,  
transfer and set over, unto Assignee, its successors, legal representatives and  
assigns, their entire right, title and interest in and to the above-mentioned inventions  
and application for Letters Patent, and in and to any and all direct and indirect  
divisions, continuations and continuations-in-part of said application, and any and all  
Letters Patent in the United States and all foreign countries which may be granted  
therefore and thereon, and reissues, reexaminations and extensions of said Letters  
Patent, and all rights under the International Convention for the Protection of Industrial  
Property, the same to be held and enjoyed by Assignee, for its own use and benefit  
and the use and benefit of its successors, legal representatives and assigns, to the full  
end of the term or terms for which Letters Patent may be granted and/or extended, as

fully and entirely as the same would have been held and enjoyed by Assignors, had this sale and assignment not been made.

**AND** for the same consideration, Assignors hereby represent and warrant to Assignee, its successors, legal representatives and assigns, that, at the time of execution and delivery of these presents, except for any rights, titles and/or interests that have arisen to Assignee under law or that have already been transferred to Assignee, Assignors are the sole and lawful owners of their entire right, title and interest in and to the said inventions and application for Letters Patent above-mentioned, and that the same are unencumbered and that Assignors have good and full right and lawful authority to sell and convey the same in the manner herein set forth.

**AND** for the same consideration, Assignors hereby covenant and agree to and with Assignee, its successors, legal representatives and assigns, that Assignors will sign all papers and documents, take all lawful oaths and do all acts necessary or required to be done for the procurement, maintenance, enforcement and defense of any Letters Patent and applications for Letters Patent for said inventions, without charge to Assignee, its successors, legal representatives and assigns, whenever counsel of Assignee, or counsel of its successors, legal representatives and assigns, shall advise: that any proceeding in connection with said inventions, or said Patent application for Letters Patent, or any proceeding in connection with any Letters Patent or applications for Letters Patent for said inventions in any country, including but not limited to interference proceedings, is lawful and desirable; or, that any division, continuation or continuation-in-part of any application for Letters Patent, or any reissue, reexamination or extension of any Letters Patent, to be obtained thereon, is lawful and desirable.

**AND** Assignors hereby request the Commissioner of Patent and Trademarks to issue said Letters Patent of the United States to Assignee, as Assignee of said inventions and the Letters Patent to be issued thereon, for the sole use and benefit of Assignee, its successors, legal representatives and assigns.

**AND** Assignors hereby grant the following individuals the power to insert on this Assignment any further identification which may be necessary or desirable in order to comply with the rules of the United States Patent and Trademark Office for recordation of this document:

EDWARDS ANGELL PALMER & DODGE LLP

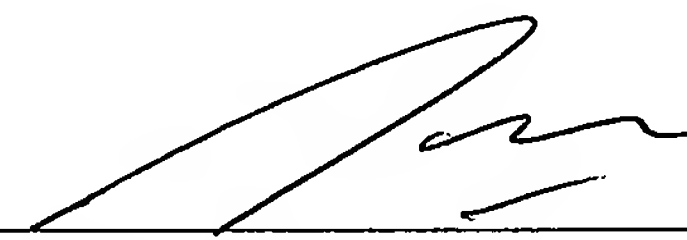
All practitioners at Customer Number 21874

**AND** Assignors acknowledge an obligation of assignment of this invention to Assignee at the time the invention was made.

Date: 8 June 2006

Signature: Michael Jedwab  
Michael Jedwab

Date: 12 June 2006

Signature:   
Ignacio Larrain



Docket No.: 51994(64627)  
(PATENT)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

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In re Patent Application of:  
Christian Holz

Application No.: 10/559,843

Filed: December 7, 2005

For: SYSTEM FOR METERING AND  
DELIVERING A LIQUID MEDIUM;  
ESPECIALLY FOR ENTERAL FEEDING

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**DECLARATION BY ASSIGNEE IN SUPPORT OF PETITION TO CORRECT  
INVENTORSHIP**

We, Jens Lübben and Manfred Baumann, declare as follows:

1. Wilden AG, a company organized and existing under the laws of Germany, states in accordance with 37 CFR 3.73(b) that in combination with Nestec Ltd. it is the assignee of the entire right, title and interest in the patent identified above by virtue of assignments from the inventor(s) of the patent application. Copies of the assignments are provided herewith.

2. We are empowered and authorized to act on behalf of Wilden AG.

3. Wilden AG does hereby agree to the change of inventorship in the above-identified patent to include Michael Jedwab and Ignacio Larrain as co-inventors.



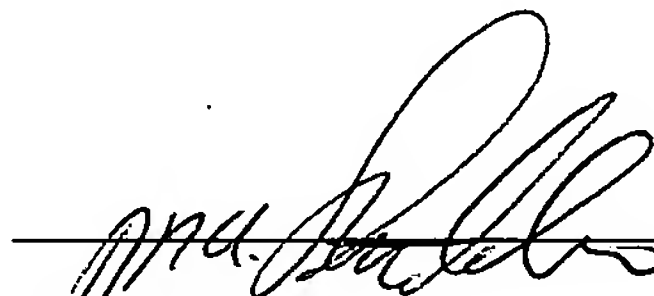
4. We hereby declare that all statements made herein of our own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the patent.

18.5.06

Date

28.05.06

Date

  
ppa. Jens Lübber

  
ppa. Manfred Baumann

## ASSIGNMENT BY INVENTORS

**THIS ASSIGNMENT**, made this 14 day of June, 2006,  
by Christian Holz (hereinafter referred to as Assignor), residing at An Ersfeld 6,  
DE-53783 Eitorf, GERMANY;

**WHEREAS**, Assignor has co-invented certain new and useful improvements  
in SYSTEM FOR METERING AND DELIVERING A LIQUID MEDIUM, ESPECIALLY  
FOR ENTERAL FEEDING, with co-inventors Michael Jedwab and Ignacio Larrain, set  
forth in a Patent application for Letters Patent of the United States, already filed on  
December 7, 2005 as U.S. Application No. 10/559,843; and

**WHEREAS**, Wilden, AG, a company organized under and pursuant to the  
laws of Germany having its principal place of business at Kumpfmuhler Strasse 2, D-  
93047 Regensburg, GERMANY (hereinafter referred to as Assignee), is desirous of  
acquiring Assignor's entire right, title and interest in and to said inventions and said  
Application for Letters Patent of the United States, and in and to any Letters Patent of  
the United States to be obtained therefore and thereon.

**NOW, THEREFORE**, in consideration of One Dollar (\$1.00) and other good  
and sufficient consideration, the receipt of which is hereby acknowledged, Assignor  
has sold, assigned, transferred and set over, and by these presents does sell, assign,  
transfer and set over, unto Assignee, its successors, legal representatives and  
assigns, his entire right, title and interest in and to the above-mentioned inventions and  
application for Letters Patent, and in and to any and all direct and indirect divisions,  
continuations and continuations-in-part of said application, and any and all Letters  
Patent in the United States and all foreign countries which may be granted therefore  
and thereon, and reissues, reexaminations and extensions of said Letters Patent, and  
all rights under the International Convention for the Protection of Industrial Property,  
the same to be held and enjoyed by Assignee, for its own use and benefit and the use  
and benefit of its successors, legal representatives and assigns, to the full end of the  
term or terms for which Letters Patent may be granted and/or extended, as fully and  
entirely as the same would have been held and enjoyed by Assignor, had this sale and  
assignment not been made.

**AND** for the same consideration, Assignor hereby represents and warrants to Assignee, its successors, legal representatives and assigns, that, at the time of execution and delivery of these presents, except for any rights, titles and/or interests that have arisen to Assignee under law or that have already been transferred to Assignee, Assignor is the sole and lawful owners of his entire right, title and interest in and to the said inventions and application for Letters Patent above-mentioned, and that the same are unencumbered and that Assignor has good and full right and lawful authority to sell and convey the same in the manner herein set forth.

**AND** for the same consideration, Assignor hereby covenants and agrees to and with Assignee, its successors, legal representatives and assigns, that Assignor will sign all papers and documents, take all lawful oaths and do all acts necessary or required to be done for the procurement, maintenance, enforcement and defense of any Letters Patent and applications for Letters Patent for said inventions, without charge to Assignee, its successors, legal representatives and assigns, whenever counsel of Assignee, or counsel of its successors, legal representatives and assigns, shall advise: that any proceeding in connection with said inventions, or said Patent application for Letters Patent, or any proceeding in connection with any Letters Patent or applications for Letters Patent for said inventions in any country, including but not limited to interference proceedings, is lawful and desirable; or, that any division, continuation or continuation-in-part of any application for Letters Patent, or any reissue, reexamination or extension of any Letters Patent, to be obtained thereon, is lawful and desirable.

**AND** Assignor hereby requests the Commissioner of Patent and Trademarks to issue said Letters Patent of the United States to Assignee, as Assignee of said inventions and the Letters Patent to be issued thereon, for the sole use and benefit of Assignee, its successors, legal representatives and assigns.

**AND** Assignor hereby grants the following individuals the power to insert on this Assignment any further identification which may be necessary or desirable in order to comply with the rules of the United States Patent and Trademark Office for recordation of this document:

EDWARDS ANGELL PALMER & DODGE LLP

All practitioners at Customer Number 21874

AND Assignor acknowledges an obligation of assignment of this invention to  
Assignee at the time the invention was made.

Date:

14 June 2006

Signature:

  
\_\_\_\_\_  
Christian Holz



Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

Application No. (if known): 10/559,843

Attorney Docket No.: 64627(51994)

## Certificate of Mailing under 37 CFR 1.8

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to:

Attention: Office of Petitions  
MS: Petition  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

on July 12, 2006  
Date

Signature

Lori Giuffrida

Typed or printed name of person signing Certificate

Registration Number, if applicable

203-353-6833  
Telephone Number

Note: Each paper must have its own certificate of mailing, or this certificate must identify each submitted paper.

Petition to Correct Inventorship Pursuant to 37 C.F.R. §1.48(a) and 35 U.S.C. §116 (2 pgs.)

Declaration by Added Inventor Ignacio Larrain in Support of Petition to Correct Inventorship (2 pgs.)

Declaration by Added Inventor Michael Jedwab in Support of Petition to Correct Inventorship (2 pgs.)

Executed Oath/Declaration by Inventors (Christian Holz; Michael Jedwab; Ignacio Larrain) (4 pgs.)

Declaration by Assignee in Support of Petition to Correct Inventorship (Michael Jedwab & Sarah Dixon) (2 pgs.)

Executed Assignment by Inventors (Michael Jedwab & Ignacio Larrain) (3 pgs.)

Declaration by Assignee in Support of Petition to Correct Inventorship (Jens Lubben & Manfred Baumann) (2 pgs.)

Executed Assignment by Inventors (Christian Holz) (3 pgs.)